

1 AN ACT

2 RELATING TO COURTS; MAKING APPROPRIATIONS.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

4 Section 1. SHORT TITLE. --This act may be cited as the "Court Appropriation Act of
5 1998".

6 Section 2. DEFINITIONS. --As used in the Court Appropriation Act of 1998:

7 A. "agency" means an office, department, agency, institution, board, bureau,
8 commission, court, district attorney, council or committee of state government;

9 B. "expenditures" means costs, expenses, encumbrances and other financing uses,
10 other than refunds authorized by law, recognized in accordance with generally accepted
11 accounting principles for the legally authorized budget amounts and budget period;

12 C. "federal funds" means any payments by the United States government to state
13 government or agencies except those payments made in accordance with the federal Mineral
14 Lands Leasing Act;

15 D. "full time employee" or "FTE" means one or more authorized positions that
16 together receive compensation for not more than two thousand eighty hours worked in fiscal
17 year 1999. The calculation of hours worked includes compensated absences but does not
18 include overtime, compensatory time or sick leave paid pursuant to Section 10-7-10 NMSA 1978;

19 E. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes
20 federal Mineral Lands Leasing Act receipts, but excludes the general fund operating reserve,
21 the appropriation contingency fund and the risk reserve;

22 F. "interagency transfers" means revenue, other than internal service funds,
23 legally transferred from one agency to another;

24 G. "internal service funds" means:

25 (1) revenue transferred to an agency for the financing of goods or services to

1 another agency on a cost-reimbursement basis; and

2 (2) unencumbered balances in agency internal service fund accounts
3 appropriated by the Court Appropriation Act of 1998;

4 H. "other state funds" means:

5 (1) unencumbered, nonreverting balances in state agency accounts, other than
6 in internal service funds accounts, appropriated by the Court Appropriation Act of 1998;

7 (2) all revenue available to state agencies from sources other than the
8 general fund, internal service funds, interagency transfers and federal funds; and

9 (3) all revenue, the use of which is restricted by statute or agreement;

10 I. "revenue" means all money received by an agency from sources external to that
11 agency, net of refunds and other correcting transactions, other than from issue of debt,
12 liquidation of investments or as agent or trustee for other governmental entities or private
13 persons; and

14 J. "unforeseen federal funds" means a source of federal funds or an increased
15 amount of federal funds that could not have been reasonably anticipated or known during the
16 first session of the forty-third legislature and, therefore, could not have been requested by
17 an agency or appropriated by the legislature.

18 Section 3. **FORMAT.** --The general format of the appropriations set forth in the Court
19 Appropriation Act with respect to symbols used, column headings and amounts stated are those
20 used in the General Appropriation Act of 1998.

21 Section 4. **GENERAL PROVISIONS.** --

22 A. Amounts set out under column headings are expressed in thousands of dollars.

23 B. Amounts set out under column headings are appropriated from the source
24 indicated by the column heading. All amounts set out under the column heading "Internal
25 Service Funds/Interagency Transfers" indicate an intergovernmental transfer and do not

1 represent a portion of total state government appropriations. All information designated as
2 "Totals" or "Subtotals" are provided for information and are not appropriations.

3 C. Amounts set out in Section 5 of the Court Appropriation Act of 1998, or so much
4 as may be necessary, are appropriated from the indicated source for expenditure in fiscal
5 year 1999 for the objects expressed.

6 D. Unencumbered balances in agency accounts remaining at the end of fiscal year
7 1998 shall revert to the general fund by October 1, 1998, unless otherwise indicated in the
8 Court Appropriation Act of 1998 or otherwise provided by law.

9 E. Unencumbered balances in agency accounts remaining at the end of fiscal year
10 1999 shall revert to the general fund by October 1, 1999, unless otherwise indicated in the
11 Court Appropriation Act of 1998 or otherwise provided by law.

12 F. The state budget division shall monitor revenue received by agencies from
13 sources other than the general fund and shall reduce the operating budget of any agency whose
14 revenue from such sources is not meeting projections. The state budget division shall notify
15 the legislative finance committee of any operating budget reduced pursuant to this
16 subsection.

17 G. Except as otherwise specifically stated in the Court Appropriation Act of 1998,
18 appropriations are made in that act for the expenditures of agencies and for other purposes
19 as required by existing law for fiscal year 1999. If any other act of the second session of
20 the forty-third legislature, changes existing law with regard to the name or responsibilities
21 of an agency or the name or purpose of a fund or distribution, the appropriation made in the
22 Court Appropriation Act of 1998 shall be transferred from the agency, fund or distribution to
23 which an appropriation has been made as required by existing law to the appropriate agency,
24 fund or distribution provided by the new law.

25 H. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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1 from unforeseen federal funds, from state board of finance loans, from revenue appropriated by
2 other acts of the legislature, or from gifts, donations, bequests, insurance settlements,
3 refunds or payments into revolving funds exceed specifically appropriated amounts may request
4 budget increases from the state budget division. If approved by the state budget division
5 such money is appropriated. In approving a budget increase from unforeseen federal funds, the
6 director of the state budget division shall advise the legislative finance committee as to
7 the source of the federal funds and the source and amount of any matching funds required.

8 I. For fiscal year 1999, the number of permanent and term full-time equivalent
9 positions specified for each agency shows the maximum number of employees intended by the
10 legislature for that agency, unless another provision of the Court Appropriation Act of 1998
11 or another act of the second session of the forty-third legislature provides for additional
12 employees.

13 J. Except for gasoline credit cards used solely for the operation of official
14 vehicles and telephone credit cards used solely for official business, none of the
15 appropriations contained in the Court Appropriation Act of 1998 may be expended for payment
16 of credit card invoices.

17 K. To prevent unnecessary spending, expenditures from the Court Appropriation Act
18 of 1998 for gasoline for state-owned vehicles at public gasoline service stations shall be
19 made only for self-service gasoline; provided that a state agency head may provide exceptions
20 from the requirement to accommodate disabled persons or for other reasons the public interest
21 may require.

22 L. When approving operating budgets based on appropriations in the Court
23 Appropriation Act of 1998, the state budget division is specifically authorized to approve
24 only those budgets that are in accordance with generally accepted accounting principles for
25 the purpose of properly classifying other financing sources and uses, including interfund,

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	intrafund and interagency transfers.				
2	Section 5. FISCAL YEAR 1999 APPROPRIATIONS. --				
3	SUPREME COURT LAW LIBRARY:				
4	(a) Personal services	284.4			284.4
5	(b) Employee benefits	90.9			90.9
6	(c) Travel	1.7			1.7
7	(d) Maintenance and repairs	25.0			25.0
8	(e) Supplies and materials	8.3			8.3
9	(f) Contractual services	115.1			115.1
10	(g) Operating costs	291.0			291.0
11	(h) Capital outlay	182.4			182.4
12	(i) Out-of-state travel	2.7			2.7
13	Authorized FTE:	8.00	Permanent		
14	Subtotal				1,001.5
15	NEW MEXICO COMPILATION COMMISSION:				
16	(a) Personal services		103.6		103.6
17	(b) Employee benefits		36.7		36.7
18	(c) Travel		13.0		13.0
19	(d) Maintenance and repairs		16.1		16.1
20	(e) Supplies and materials		18.0		18.0
21	(f) Contractual services		772.0		772.0
22	(g) Operating costs		99.9		99.9
23	(h) Capital outlay		17.8		17.8
24	Authorized FTE:	3.00	Permanent		
25	Subtotal				1,077.1

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	JUDICIAL STANDARDS COMMISSION:					
2	(a) Personal services	140.6				140.6
3	(b) Employee benefits	46.4				46.4
4	(c) Travel	10.2				10.2
5	(d) Maintenance and repairs	1.3				1.3
6	(e) Supplies and materials	2.5				2.5
7	(f) Contractual services	14.4				14.4
8	(g) Operating costs	51.1				51.1
9	(h) Other financing uses	.1				.1
10	Authorized FTE: 3.00 Permanent					
11	Subtotal					266.6
12	COURT OF APPEALS:					
13	(a) Personal services	2,448.5				2,448.5
14	(b) Employee benefits	703.2				703.2
15	(c) Travel	10.0				10.0
16	(d) Maintenance and repairs	32.9				32.9
17	(e) Supplies and materials	36.9				36.9
18	(f) Contractual services	25.8				25.8
19	(g) Operating costs	241.8				241.8
20	(h) Capital outlay	59.7				59.7
21	(i) Out-of-state travel	6.3				6.3
22	(j) Other financing uses	.8				.8
23	Authorized FTE: 55.50 Permanent					
24	Subtotal					3,565.9
25	SUPREME COURT:					

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(a) Personal services	1,200.2				1,200.2
2	(b) Employee benefits	372.1				372.1
3	(c) Travel	6.0				6.0
4	(d) Maintenance and repairs	18.2				18.2
5	(e) Supplies and materials	21.6				21.6
6	(f) Contractual services	96.4				96.4
7	(g) Operating costs	81.3				81.3
8	(h) Capital outlay	18.0				18.0
9	(i) Out-of-state travel	10.0				10.0
10	(j) Other financing uses	.4				.4
11	Authorized FTE: 28.00 Permanent					
12	Subtotal					1,824.2
13	ADMINISTRATIVE OFFICE OF THE COURTS:					
14	(1) Supreme court automation fund:					
15	(a) Personal services		300.6			300.6
16	(b) Employee benefits		99.5			99.5
17	(c) Travel		75.4			75.4
18	(d) Maintenance and repairs		648.0			648.0
19	(e) Supplies and materials		183.8			183.8
20	(f) Contractual services		215.2			215.2
21	(g) Operating costs		998.2			998.2
22	(h) Other costs		1.0			1.0
23	(i) Capital outlay		575.0			575.0
24	(j) Out-of-state travel		17.6			17.6
25	Authorized FTE: 10.00 Permanent					

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(2) Jury and witness fee fund:					
2	(a) Operating costs	463.0		132.0		595.0
3	(b) Other costs	1,641.4		468.0		2,109.4
4	(3) Administration:					
5	(a) Personal services	1,017.0				1,017.0
6	(b) Employee benefits	344.1				344.1
7	(c) Travel	30.0				30.0
8	(d) Maintenance and repairs	8.0				8.0
9	(e) Supplies and materials	25.0				25.0
10	(f) Contractual services	141.6				141.6
11	(g) Operating costs	136.0				136.0
12	(h) Capital outlay	5.0				5.0
13	(i) Out-of-state travel	7.0				7.0
14	Authorized FTE: 26.00 Permanent					
15	(4) Court appointed attorney fee fund:	2,049.9				2,049.9
16	(5) Municipal court automation fund:					
17	(a) Personal services		38.7			38.7
18	(b) Employee benefits		11.1			11.1
19	(c) Travel		12.0			12.0
20	(d) Supplies and materials		1.2			1.2
21	(e) Operating costs		2.5			2.5
22	(f) Other costs		319.4			319.4
23	(g) Out-of-state travel		6.0			6.0
24	Authorized FTE: 1.00 Term					
25	(6) Judges pro tempore:	45.0				45.0

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	The judges pro tempore appropriation is nonreverting and shall not be expended for any other purpose.				
2	(7) Magistrate courts:				
3	(a) Personal services	7,048.0			7,048.0
4	(b) Employee benefits	2,171.5			2,171.5
5	(c) Travel	50.0			50.0
6	(d) Maintenance and repairs	15.0			15.0
7	(e) Supplies and materials	258.0			258.0
8	(f) Contractual services	29.3			29.3
9	(g) Operating costs	2,539.2			2,539.2
10	(h) Capital outlay	67.3			67.3
11	Authorized FTE:	231.50			Permanent
12	(8) Judicial information division:				
13	(a) Personal services	838.7			838.7
14	(b) Employee benefits	262.3			262.3
15	Authorized FTE:	21.00			Permanent
16	(9) Magistrate court warrant enforcement fund:				
17	(a) Personal services		650.6		650.6
18	(b) Employee benefits		249.1		249.1
19	(c) Travel		5.0		5.0
20	(d) Supplies and materials		3.0		3.0
21	(e) Contractual services		100.0		100.0
22	(f) Operating costs		45.9		45.9
23	Authorized FTE:	27.50			Term
24	(10) Court appointed special advocate:	377.0			377.0
25	(11) Water rights litigation:	250.2			250.2

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 Subtotal					24,978.3
2 SUPREME COURT BUILDING COMMISSION:					
3 (a) Personal services	211.7				211.7
4 (b) Employee benefits	96.8				96.8
5 (c) Travel	1.5				1.5
6 (d) Maintenance and repairs	59.4				59.4
7 (e) Supplies and materials	2.2				2.2
8 (f) Contractual services	60.6				60.6
9 (g) Operating costs	93.2				93.2
10 (h) Capital outlay	31.7				31.7
11 (i) Other financing uses	.2				.2
12 Authorized FTE: 12.00 Permanent					
13 Subtotal					557.3
14 DISTRICT COURTS:					
15 (1) First judicial district:					
16 (a) Personal services	1,906.9	10.9	89.7		2,007.5
17 (b) Employee benefits	583.2	34.2	26.9		644.3
18 (c) Travel	17.8	.9	.4		19.1
19 (d) Maintenance and repairs	16.5	.5	.5		17.5
20 (e) Supplies and materials	45.8	5.7	3.5		55.0
21 (f) Contractual services	113.3	12.0	105.9		231.2
22 (g) Operating costs	161.5	10.0	21.7		193.2
23 (h) Capital outlay	103.9				103.9
24 (i) Other financing uses	.8				.8
25 Authorized FTE: 58.50 Permanent; 2.00 Term					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 Subtotal					3,272.5
2 (2) Second judicial district:					
3 (a) Personal services	8,004.5	292.3	189.3		8,486.1
4 (b) Employee benefits	2,421.3	94.7	56.1		2,572.1
5 (c) Travel	24.1	3.0	2.5		29.6
6 (d) Maintenance and repairs	124.4	14.8	3.0		142.2
7 (e) Supplies and materials	273.4	33.3	3.2		309.9
8 (f) Contractual services	328.2	35.8	3.2		367.2
9 (g) Operating costs	380.0	60.0	13.0		453.0
10 (h) Other costs	102.0				102.0
11 (i) Capital outlay	178.8	53.6	3.3		235.7
12 (j) Out-of-state travel	27.5	10.7	1.4		39.6
13 Authorized FTE: 252.50 Permanent;	12.00 Term				
14 Subtotal					12,737.4
15 (3) Third judicial district:					
16 (a) Personal services	1,392.6	28.1	85.3		1,506.0
17 (b) Employee benefits	457.4	10.4	26.0		493.8
18 (c) Travel	14.5	2.0	2.4		18.9
19 (d) Maintenance and repairs	11.5	.8	1.5		13.8
20 (e) Supplies and materials	28.6	5.8	4.0		38.4
21 (f) Contractual services	169.1	70.0	5.5		244.6
22 (g) Operating costs	68.5	10.2	11.3		90.0
23 (h) Other costs	.3				.3
24 (i) Capital outlay	27.2	7.2	1.5		35.9
25 Authorized FTE: 41.00 Permanent;	3.00 Term				

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	Subtotal					2,441.7
2	(4) Fourth judicial district:					
3	(a) Personal services	571.9				571.9
4	(b) Employee benefits	188.3				188.3
5	(c) Travel	4.4				4.4
6	(d) Maintenance and repairs	8.3				8.3
7	(e) Supplies and materials	13.2				13.2
8	(f) Contractual services	2.8				2.8
9	(g) Operating costs	28.7				28.7
10	(h) Capital outlay	34.5				34.5
11	(i) Other financing uses	20.3	5.0			25.3
12	Authorized FTE: 18.00 Permanent					
13	Subtotal					877.4
14	(5) Fifth judicial district:					
15	(a) Personal services	2,016.6				2,016.6
16	(b) Employee benefits	634.1				634.1
17	(c) Travel	34.0				34.0
18	(d) Maintenance and repairs	28.7				28.7
19	(e) Supplies and materials	49.6	1.5			51.1
20	(f) Contractual services	204.4	57.0			261.4
21	(g) Operating costs	185.7	1.5			187.2
22	(h) Capital outlay	104.0				104.0
23	(i) Out-of-state travel	3.0				3.0
24	(j) Other financing uses	.9				.9
25	Authorized FTE: 61.00 Permanent					

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	Subtotal					3,321.0
2	(6) Sixth judicial district:					
3	(a) Personal services	552.6				552.6
4	(b) Employee benefits	187.4				187.4
5	(c) Travel	15.0				15.0
6	(d) Maintenance and repairs	7.0				7.0
7	(e) Supplies and materials	10.5				10.5
8	(f) Contractual services	165.5				165.5
9	(g) Operating costs	68.7				68.7
10	(h) Capital outlay	49.3				49.3
11	Authorized FTE: 17.00 Permanent					
12	Subtotal					1,056.0
13	(7) Seventh judicial district:					
14	(a) Personal services	693.7				693.7
15	(b) Employee benefits	226.8				226.8
16	(c) Travel	11.0				11.0
17	(d) Maintenance and repairs	7.9				7.9
18	(e) Supplies and materials	21.2				21.2
19	(f) Contractual services	35.8				35.8
20	(g) Operating costs	70.1				70.1
21	(h) Capital outlay	30.6				30.6
22	Authorized FTE: 21.50 Permanent					
23	Subtotal					1,097.1
24	(8) Eighth judicial district:					
25	(a) Personal services	611.0				611.0

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(b) Employee benefits	217.3				217.3
2	(c) Travel	13.7				13.7
3	(d) Maintenance and repairs	5.7				5.7
4	(e) Supplies and materials	14.0				14.0
5	(f) Contractual services	48.5	20.0			68.5
6	(g) Operating costs	60.8				60.8
7	(h) Capital outlay	28.0				28.0
8	Authorized FTE: 18.00 Permanent					
9	Subtotal					1,019.0
10	(9) Ninth judicial district:					
11	(a) Personal services	778.5		82.8		861.3
12	(b) Employee benefits	261.7		27.6		289.3
13	(c) Travel	9.0		4.5		13.5
14	(d) Maintenance and repairs	15.0		2.1		17.1
15	(e) Supplies and materials	19.9	1.5	5.6		27.0
16	(f) Contractual services	101.3	24.5	36.1		161.9
17	(g) Operating costs	42.9		7.2		50.0
18	(h) Other costs	.5				.5
19	(i) Capital outlay	87.7				87.7
20	(j) Other financing uses	.5				.5
21	Authorized FTE: 23.00 Permanent; 2.00 Term					
22	Subtotal					1,508.9
23	(10) Tenth judicial district:					
24	(a) Personal services	312.3				312.3
25	(b) Employee benefits	101.8				101.8

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(c) Travel	4.5				4.5
2	(d) Maintenance and repairs	6.8				6.8
3	(e) Supplies and materials	11.7				11.7
4	(f) Contractual services	5.6				5.6
5	(g) Operating costs	27.6				27.6
6	(h) Capital outlay	11.4				11.4
7	(i) Other financing uses	13.7				13.7
8	Authorized FTE: 9.14 Permanent					
9	Subtotal					495.4
10	(11) Eleventh judicial district:					
11	(a) Personal services	1,289.6	8.5			1,298.1
12	(b) Employee benefits	393.4	.7			394.1
13	(c) Travel	14.7			.3	15.0
14	(d) Maintenance and repairs	15.6	.5			16.1
15	(e) Supplies and materials	50.0	.5		.3	50.8
16	(f) Contractual services	138.3	34.0		14.0	186.3
17	(g) Operating costs	131.9	1.4			133.3
18	(h) Other costs		.5			.5
19	(i) Capital outlay	66.9				66.9
20	Authorized FTE: 39.00 Permanent; .50 Term					
21	Subtotal					2,161.1
22	(12) Twelfth judicial district:					
23	(a) Personal services	845.2		18.1		863.3
24	(b) Employee benefits	280.3		5.6		285.9
25	(c) Travel	10.5		.6		11.1

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(d) Maintenance and repairs	8.9				8.9
2	(e) Supplies and materials	14.9	2.0			16.9
3	(f) Contractual services	29.8	26.5	.3		56.6
4	(g) Operating costs	87.8	1.0			88.8
5	(h) Capital outlay	22.0				22.0
6	Authorized FTE: 24.50 Permanent	1.00 Term				
7	Subtotal					1,353.5
8	(13) Thirteenth judicial district:					
9	(a) Personal services	1,252.3				1,252.3
10	(b) Employee benefits	420.1				420.1
11	(c) Travel	26.9				26.9
12	(d) Maintenance and repairs	14.5				14.5
13	(e) Supplies and materials	43.8	2.0			45.8
14	(f) Contractual services	18.0	18.0			36.0
15	(g) Operating costs	110.3				110.3
16	(h) Capital outlay	67.0				67.0
17	(i) Other financing uses	.7				.7
18	Authorized FTE: 39.00 Permanent					
19	Subtotal					1,973.6
20	BERNALILLO COUNTY METROPOLITAN COURT:					
21	(a) Personal services	5,938.9	848.2			6,787.1
22	(b) Employee benefits	1,994.9	325.8			2,320.7
23	(c) Travel	9.9	2.0			11.9
24	(d) Maintenance and repairs	369.6				369.6
25	(e) Supplies and materials	301.2	52.1			353.3

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 (f) Contractual services	561.5	90.1			651.6
2 (g) Operating costs	740.0	80.2			820.2
3 (h) Capital outlay	227.8	42.8			270.6
4 (i) Out-of-state travel	15.5				15.5
5 Authorized FTE: 197.00 Permanent	38.50 Term;	.50 Temp			
6 Subtotal					11,600.5
7 GRAND TOTAL FISCAL YEAR 1999					
8 APPROPRIATIONS	68,629.2	8,090.6	1,451.6	14.6	78,186.0

9 Section 6. SEVERABILITY.--If any part or application of this act is held invalid, the
10 remainder or its application to other situations or persons shall not be affected.